



IN THE UNITED STATE PATENT AND TRADEMARK OFFICE

In re Application of: **DAVIES, Douglas Allan**  
Serial No.: **09/676,402**  
Filed: **September 29, 2000**  
Title: **WIRELESS TRANSMISSION EVALUATION SYSTEM  
AND METHOD**  
Examiner: **EWART, James D.**  
Art Unit: **2683**  
Confirmation Number: **1935**  
Atty's Docket No.: **123081-339675 (T01215-0060 US)**

United States Patents and Trademarks Office  
220 20th Street South  
Customer Window, Mail Stop **ISSUE FEE**  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

Dear Commissioner:

**Issue Fee Transmittal**

Transmitted herewith are two (2) payment copies of the completed Transmittal Form PTOL-85B, which authorizes the Patent Office to charge the fee of US\$1,400.00 to deposit account no. 150633 of McCarthy Tétrault LLP.

Kindly note that by way of this transmittal of March 3, 2005 to Mail Stop Issue Fee, we are submitting an Amendment After Allowance. By way of transmittal of March 3, 2005, we are also submitting formal drawings to the Official Draftsperson.

In the event that an additional fee is required, the Patent Office is hereby authorized to charge our deposit account no. 150633 of McCarthy Tétrault LLP.

**Patent Term Extension**

In the Determination of Patent Term Adjustment notice dated December 7, 2005, the Office indicated that the above-referenced application is entitled to 566 days of patent term adjustment.

We believe, however, that in accordance with 35 U.S.C. 154, this period should be 536 days instead, likely due to a one-month extension of time requested in connection with responding to the Office action dated June 4, 2004. Applicant respectfully requests the Office to reconsider its calculation of the term extension.

Acknowledgement of the return receipt card included with our correspondence is requested. Should any Patent Office official wish to contact us with respect to the above, the telephone call should be directed to Robert H. Nakano at (416) 601-7852.

Your very truly,



March 3, 2005

Date

Robert H. Nakano  
Reg. No. 46,498  
McCarthy Tétrault LLP  
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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/676,402
Filing Date	September 29, 2000
First Named Inventor	DAVIES, Douglas Allan.
Art Unit	2683
Examiner Name	EWART, James D.
Attorney Docket Number	123081-339675

### ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Issue Fee Transmittal - Return Receipt Card
Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	McCarthy Tétrault LLP (Customer No. 27,155)		
Signature			
Printed name	Robert H. Nakano		
Date	March 3, 2005	Reg. No.	46,498

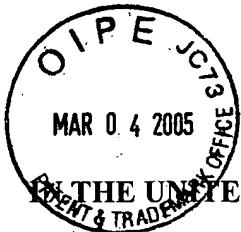
### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name			Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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THE UNITED STATE PATENT AND TRADEMARK OFFICE

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**LETTER TO OFFICIAL DRAFTSPERSON**

Dear Commissioner:

We enclose six (6) sheets of formal drawings, containing Figures 1 to 10, to replace the drawing sheets presently on file containing Figures 1 to 109. The submission of these drawings is before the due date of March 7, 2004 for payment of the Issue Fee.

Kindly note that along with this transmittal of March 3, 2005 to Mail Stop Issue Fee, we have submitted the Issue Fee in response to the Notice of Allowance dated December 7, 2004. Also by way of this transmittal of March 3, 2005 to Mail Stop Issue Fee, an Amendment After Allowance is being filed contemporaneously with this package.

Acknowledgement of the return receipt card included with our correspondence is requested. Should any Patent Office official wish to contact us with respect to the above, the telephone call should be directed to Robert H. Nakano at (416) 601-7852.

Your very truly  


March 3, 2005  
Date

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